

Subject: FOIA Expedited Processing Disposition Reached for

From: admin@foiaonline.gov - To: peddington@cato.org - Cc: - Date: April 23, 2019 at 8:29 AM

Your request for Expedited Processing for the FOIA request DOJ-AP-2019-004056 has been denied. Additional details for this request are as follows:

- Request Created on: 04/22/2019
- Request Description: See attached appeal.
- Expedited Processing Original Justification: See attached appeal.
- Expedited Processing Disposition Reason: This acknowledges receipt of your appeal to this Office. I note that your appeal has been assigned Appeal No. DOJ-AP-2019-004056. You should reference this number in any future communications with this Office regarding your appeal.

You assert that your appeal is entitled to expedited treatment pursuant to the second standard enumerated in the Department of Justice's regulations. I have determined that you have not met your burden under the second standard because you have not shown an "urgency to inform the public" about an actual or alleged federal government activity and because you have failed to demonstrate that you are "primarily engaged in disseminating information." 28 C.F.R. § 16.5(e)(1)(ii). Although your request concerns a federal government activity, you have not demonstrated that the topic appears to be of significant public interest. Also, you have not established that the requested records are a matter of current exigency to the American public, nor that delaying a response would compromise a significant recognized interest. Further, you have not provided any evidence that you are "primarily engaged in disseminating information." See *ACLU of N. Cal. v. DOJ*, No. 04-4447, 2005 WL 588354, at *14 (N.D. Cal. Mar. 11, 2005) (holding that information dissemination must be "the main activity" rather than merely "a main activity" of plaintiff to satisfy expedition standard).

If you have any questions regarding the action this Office has taken on your appeal, you may contact this Office's FOIA Public Liaison for your appeal. Specifically, you may speak with Matthew Hurd by calling (202) 514-3642.

If you are dissatisfied with my action on your appeal for expedited treatment of your request, you may file a lawsuit in accordance with 5 U.S.C. § 552(a)(6)(E)(iii).